

CARE ORIGIN, INC.  
A Michigan Corporation,  
Plaintiff,

Civil Action No.: 13-11944  
Hon.: Terrence G. Berg

THE UNITED STATES OF AMERICA, DEPT.  
OF HEALTH AND HUMAN SERVICES,, THE US  
DEPARTMENT OF TREASURY, THE UNITED  
STATES OF AMERICA COMMUNITY HEALTH  
ACCREDITATION PROGRAM, A Washington  
DC Corporation, CENTER FOR MEDICARE  
AND MEDICAID, an Indiana Corporation,  
NATIONAL GOVERNMENT SERVICES, INC.  
A Chicago, IL Corporation, PSAVD, LLC, a  
Michigan Limited liability Company and  
CHERRY CATTRAL, a Michigan Individual,  
Jointly and Severally,  
Defendants.

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Chambers & Associates, PLLC  
Stephen E. Johnson P39546  
Attorney for plaintiff  
615 Griswold, Street, Suite 1215  
Detroit, MI 48226  
(313) 964-5557

Romeo C. Lagonoy P43827  
Attorney for PSAVD, LLC and  
Cherry Cattral  
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Southfield, MI 48076  
(313) 510-5064

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**ANSWER**

In answer to the complaint, the defendants PSAVD, LLC and Cherry

Cattral states that:

PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

2. Paragraph two of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

3. Paragraph three of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

4. Paragraph four of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

5. Paragraph five of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

6. Paragraph six of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

7. Paragraph seven of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

8. Paragraph eight of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

9. Paragraph nine of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein. The defendant resides in the City of St. Claire Shores.

10. Paragraph ten of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

11. Paragraph eleven of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

12.. Paragraph twelve of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

13. Paragraph thirteen of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

14. Paragraph fourteen of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein



**COMPLAINT FOR DECLARATORY JUDGMENT**

15. Paragraph fifteen of the complaint requires no answer.

16. Paragraph sixteen of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

17. Paragraph seventeen of the complaint is a conclusion of law and is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

18. Paragraph eighteen of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

19. Paragraph nineteen of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

20. Paragraph twenty of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

21. Paragraph twenty one of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

22. Paragraph twenty two of the complaint is denied for the reason that that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

23. Paragraph twenty three of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

24. Paragraph twenty four of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

25. Paragraph twenty five of the complaint is a conclusion of and the same is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

26. Paragraph twenty six of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

27. Paragraph twenty seven of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

Wherefore, the defendants PSAVD and Cherry Cattral pray that the Plaintiff Care Origin, Inc. be declared solely liable to for overpayments.

**FRAUDULENT MISREPRESENTATION**

28. Paragraph twenty eight of the complaint requires no answer.

29. Paragraph twenty nine of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

30. Paragraph thirty of the complaint is denied for the reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

31. Paragraph thirty one of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

32. Paragraph thirty two of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

33. Paragraph thirty three of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.



34. Paragraph thirty four of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

35. Paragraph thirty five of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

36. Paragraph thirty six of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

37. Paragraph thirty seven of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

### **COUNT III**

#### **INNOCENT MISREPRESENTATION**

38. Paragraph thirty eight of the complaint requires no answer.

39. Paragraph thirty nine of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Catral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein

41. Paragraph forty one of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

#### **COUNT IV**

#### **EXEMPLARY DAMAGES**

42. Paragraph forty two of the complaint requires no answer.

43. Paragraph forty three of the complaint is denied for the reason that the allegations therein are untrue and for the further reason that defendants PSAVD, LLC and Cherry Cattral have no knowledge or information sufficient to form a belief as to the truth of the allegations stated therein.

**Wherefore**, the defendants PSAVD and Cherry Cattral pray that the complaint be dismissed with cost and attorney fees assessed against plaintiff Care Origin, Inc in favor of defendants PSAVD, LLC and Cherry Cattral.

#### **AFFIRMATIVE DEFENSES**

44. The defendants PSAVD, LLC and Cherry Cattral states that the plaintiff's claims are barred by reason of:

- a. accord and satisfaction,
- b. assumption of risk,



c. estoppel and laches,

d. failure of consideration,

e. fraud and illegality,

f. payment and release,

g. res judicata

h. statute of frauds,

i. statute of limitations and waiver.

Dated: May 28, 2013

Respectfully Submitted  
By: /s/ Romeo C. Lagonoy  
Romeo C. Lagonoy P-43827  
Attorney for Defendants PSAVD  
and Cherry Catral  
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### CERTIFICATE OF SERVICE

I hereby certify that on the 28<sup>th</sup> day of May 2013, I electronically filed  
defendants PSAVD, LLC and Cherry Cattrall's answer to the complaint in this  
cause through mied.uscourts.gov which will serve notification of such filing to all  
parties of record. I further certify that on the same day, I served upon Stephen E.

prepaid postage thereon, addressed as indicated in the pleadings on file and by  
depositing the same with the US Post Office receptacle in Southfield, Michigan.

Dated: May 28, 2013

Respectfully Submitted  
By: /s/ Romeo C. Lagonoy  
Romeo C. Lagonoy P-43827  
Attorney for Defendants PSAVD  
and Cherry Catral  
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